



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 01 2014

OFFICE OF
ENVIRONMENTAL INFORMATION

Mr. Edward Smith
Missouri Coalition for the Environment
3115 S. Grand Blvd. Ste. 650
St. Louis, MO 63118

Re: Freedom of Information Act Request: EPA-R7-2014-004887

Dear Mr. Smith:

This is in response to your request for expedited processing and a fee waiver in connection with your Freedom of Information Act (FOIA) request to the U.S. Environmental Protection Agency (EPA) Region 7, seeking correspondence and all records between EPA Region 7 and the National Remedy Review Board, as it relates to the West Lake Landfill Superfund site in St. Louis County, Missouri.

We have reviewed your request and it does not contain the proper justification for expedited processing as set out in the Electronic FOIA Amendments of 1996, 5 U.S.C. 552 (a)(6)(E)(v). You must show a compelling need by either establishing that the failure to obtain the records, could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or demonstrating that an urgency to inform the public that actual or alleged Federal government activity exists.

Requests for fee waivers must be considered **on a case-by-case basis** and address the requirements for a fee waiver in sufficient detail for the agencies to make an informed decision. We have reviewed your request and based on the information provided, we are denying your request for a fee waiver. You have not expressed specific intent to disseminate the information to the general public as set forth in 40 C.F.R. 20107(e)(2). As a result of you failing to meet the above criteria, accordingly, there is no need to address the remaining prongs of the fee waiver criteria.

Region 7 will be responding to your information request. You have been placed in the "other" fee category and will be charged for the costs of search time and duplication, excluding the first two hours of search time and the first 100 pages of duplication. If the estimated costs exceed \$25.00, Region 7 will contact you regarding the cost of processing your request and seek an assurance of payment. They will be unable to process your request until they receive your assurance of payment.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20001. Your appeal must be made in writing, and it must be submitted no later 30 calendar days from the date of this letter. Your appeal must be in writing and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal".

If you have any questions concerning this correspondence, please contact me at (202) 566-1667.

Sincerely,



Larry F. Gottesman
National FOIA Officer